

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments,)
FM Broadcast Stations,)
Channel 271A (102.1 MHz))
JEFFERSONVILLE, NEW YORK)

TO: Chief, Allocations Branch
Mass Media Bureau

PETITION FOR RULE MAKING

Michael S. Celenza (hereafter Petitioner), by his attorneys, and pursuant to Sections 1.401 and 1.420 of the Commission's Rules, hereby requests the Commission to amend Section 73.202(b) of its rules, the FM Table of Allotments, to allot Channel 271A (102.1 MHz) at Jeffersonville, New York. In support thereof, the following is stated.

1. There is annexed hereto a channel allocation study prepared by T.Z. Sawyer Technical Consultants which demonstrates that Channel 271A may be allotted to Jeffersonville, New York, in full compliance with the minimum distance separation and principal community coverage requirements of the Rules (Ibid., p. 1, and Table I). There is amply area (approximately 35 kilometers) in which to locate a Channel 271 facility. The proposed allocation is within 320 kilometers of the United States Canadian border.

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Petitioner's Technical Consultant has also determined that the proposed Channel 271A allocation complies with Canadian separation requirements (Ibid., p. 2, Table 2).

2. Jeffersonville is located in Sullivan County approximately 90 miles northwest of New York City. Jeffersonville has a population of 483 and Sullivan County a population of 69,277 (1990 Census). There are presently two radio stations authorized to serve Jeffersonville: unbuilt FM Station WPDA, which is authorized to operate on 106.1 MHz with effective radiated power (ERP) of 1.6 KW and height above-average terrain (HAAT) of 627 feet, and non-commercial FM broadcast Station WJFF, which operates on 90.5 MHz with ERP of 3.7 KW and HAAT of 629 feet. The proposed Channel 271A allocation would provide commercially a second aural transmission service and a second competitive service to Jeffersonville. The proposed allocation will, therefore, advance the objectives of Section 307(b) of the Communications Act of 1934, as amended, and the Commission's FM allocation policies.

3. Petitioner hereby states that if the Commission grants this petition, he will apply for the channel when it is allotted, and, if his application is granted, he will promptly build the station.

WHEREFORE, for the foregoing reasons, Petitioner respectfully requests the Commission to grant this petition and to allot Channel 271A to Jeffersonville, New York.

Respectfully submitted,

MICHAEL S. CELENZA

By:


James K. Edmundson

GARDNER, CARTON & DOUGLAS
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Suite 900, East Tower
Washington, D.C. 20005
(202) 408-7162

DATED: July 29, 1993
[58371]

TECHNICAL EXHIBIT
PETITION TO MODIFY
FM TABLE OF ALLOTMENTS
CHANNEL 271A
JEFFERSONVILLE, NEW YORK

July 26, 1993

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TECHNICAL EXHIBIT
PETITION TO MODIFY
FM TABLE OF ALLOTMENTS
CHANNEL 271A
JEFFERSONVILLE, NEW YORK

Petitioner: Michael S. Celenza

Narrative

The technical exhibit of which this narrative is part was prepared on behalf of Michael S. Celenza, petitioner, in support of a petition to modify the FM Table of Allotments (47CFR 73.202). In the petition Mr. Celenza proposes to add FM Channel 271A, as a fully spaced Class A FM Commercial Service, to serve the City of Jeffersonville, New York.

Channel 271A, if allocated to Jeffersonville, New York meets all current separation requirements utilizing the geographical coordinates for the City of Jeffersonville as listed in the U.S.G.S. Geographical Names Information System (GNIS). An area to locate the proposed facility has been determined by this office which approximates 35 square kilometers in size. At all points within this area, the proposed facility may be located and meet all requirements in terms of separations from existing or presently proposed facilities and allotments.

T.Z. Sawyer Technical Consultants, Chevy Chase, Maryland

As an aid in determining the feasibility of the proposed allocation, a separation study was conducted on Channel 271A at Jeffersonville, New York with the following geographical coordinates:

41° 46' 51" North Latitude

74° 56' 03" West Longitude.

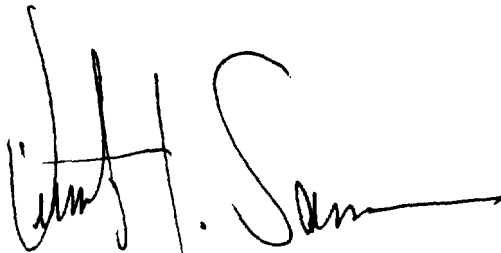
The results of the study are contained herein as Table I. Additionally, as this proposed allocation is within 320 kilometers of the U.S./Canada Border, a Class B1 study was conducted from this site in order to determine the allocation's impact on proposed or existing Canadian facilities and allotments. The results of the study are contained herein as Table II. The allocation of Channel 271A at Jeffersonville, New York, meets all U.S. and Canadian separation requirements.

Further information, if required, concerning the technical merits or methods employed in preparation of this technical narrative may be obtained by contacting the office of the undersigned.

July 26, 1993

Timothy Z. Sawyer

T.Z. Sawyer Technical Consultants
6204 Highland Drive
Chevy Chase, MD 20815
(301) 913-9287

A handwritten signature in black ink, appearing to read 'Timothy Z. Sawyer', with a long horizontal stroke at the end.

T.Z. Sawyer Technical Consultants, Chevy Chase, Maryland

U.S. - Canada Class A Study

Table I
Sheet 1 of 2

T.Z. Sawyer
Technical Consultants
Chevy Chase, MD

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07/25/93

FM SEPARATION STUDY

Job Title :JEFFERSONVILLE, NY (MICHAEL S. CELENZA) Separation Buffer 64 km
FCC DB Date : 06/29/93
Channel 271A (102.1 MHz) Coordinates : 41-46-51 74-56-03

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
WVKRFM CP	Poughkeepsie NY	BPED880812MI	217B1 91.3	3.7 DA 250.0	41-38-25 74-01-16	101.3	77.59 65.59	12 CLEAR
WVMWFM LIC	Scranton PA	BLED820524AL	218A 91.5	.100 -87.0	41-25-57 75-38-06	236.6	70.08 60.08	10 CLEAR
WPDH LIC	Poughkeepsie NY	BLH861110KF	268B 101.5	4.4 469.0	41-43-09 73-59-47	94.7	78.31 9.31	69 CLOSE
WGRG LIC	Owego NY	BLH890405KD	269A 101.7	1.00 170.0	42-06-07 76-07-14	290.4	104.66 73.66	31 CLEAR
WJIV LIC	Cherry Valley NY	BLH870508KB	270B 101.9	8.9 313.0	42-47-36 74-41-41	9.8	114.20 1.20	113 CLOSE
WQCD CP	New York NY	BPH890511IG	270B 101.9	6.2 413.0	40-44-54 73-59-10	145.1	139.51 26.51	113 CLEAR
WQCD LIC	New York NY	BLH811230AI	270B 101.9	5.3 433.0	40-42-43 74-00-49	146.8	141.59 28.59	113 CLEAR
WAVTFM LIC	Pottsville PA	BLH810127AA	270B 101.9	29.0 171.0	40-49-50 76-12-32	225.6	150.12 37.12	113 CLEAR
WAVR PADD Counterproposal	Waverly NY	RM7921	271A 102.1	.0	42-03-48 76-31-28	284.0	135.61 20.61	115 CLEAR
WAQYFM LIC	Springfield MA	BLH790710AB	271B 102.1	17.0 238.0	42-05-00 72-42-16	78.9	187.97 9.97	178 CLOSE
WIOQ LIC	Philadelphia PA	BLH880804LB	271B 102.1	27.0 204.0	40-02-37 75-14-32	187.7	194.67 16.67	178 CLEAR
WSUSFM-1 CP	Montague, etc. NJ	BPFTB910404TA	272D 102.3	.231 DA .0	41-18-50 74-45-38	164.4	53.86 .00	0 BOOST

The horizontally polarized erp is improperly rounded-CP cancelled & call letters deleted 930616

U.S. - Canada Class A Study

Table I
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T.Z. Sawyer
Technical Consultants
Chevy Chase, MD

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07/25/93

FM SEPARATION STUDY

Job Title :JEFFERSONVILLE, NY (MICHAEL S. CELENZA) Separation Buffer 64 km
FCC DB Date : 06/29/93
Channel 271A (102.1 MHz) Coordinates : 41-46-51 74-56-03

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
WSUS LIC	Franklin NJ	BLH840720CC	272A 102.3	0.59 227.0	41-08-37 74-32-21	155.0	78.10 6.10	72 CLOSE
WTLQ LIC	Pittston PA	BLH831019AA	272A 102.3	3.00 22.0	41-18-20 75-45-38	232.7	86.85 14.85	72 CLOSE
W272AF LIC	Rhinebeck, etc. NY	BLFT920518TA	272D 102.3	0.05 .0	41-55-14 73-53-09	79.5	88.44 .00	0 TRANS
WAVR PDEL	Waverly NY	RM7921	272A 102.3	.0	42-03-48 76-31-28	284.0	135.61 63.61	72 CLEAR
WAVR LIC	Waverly NY	BLH6421	272A 102.3	1.50 122.0	42-03-48 76-31-28	284.0	135.61 63.61	72 CLEAR
WFNP PADD	Rosendale NY	RM8170	273A 102.5	.0	41-49-14 74-02-13	86.3	74.71 43.71	31 CLEAR
Accepted by canada on 930216 PRM-Site Restricted 4.7 Km Southeast								
WNEW LIC	New York NY	BLH840406BY	274B 102.7	7.8 372.0	40-44-54 73-59-10	145.1	139.51 70.51	69 CLEAR

** End of separation study for channel 271A **

**Canada Class B1 Study
U.S. Records Omitted for Clarity**

Table II

T.Z. Sawyer
Technical Consultants
Chevy Chase, MD

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FM SEPARATION STUDY

Job Title :JEFFERSONVILLE, NY (MICHAEL S. CELENZA) Separation Buffer 200 km
FCC DB Date : 06/29/93
Channel 271B1 (102.1 MHz) Coordinates : 41-46-51 74-56-03

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
	Kingston ON		270A 101.9	.0	44-14-00 76-30-00	335.5	300.88 187.88	113 CLEAR
SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.								
CFRCFM	Kingston ON		270A 101.9	3.00 81.0	44-16-11 76-27-15	336.5	302.98 189.98	113 CLEAR
SPECIALLY NEGOTIATED SHORT-SPACED CHANNEL, FROM CHANNEL 220								
CB0F7F	Brockville ON		271A 102.1	2.50 101.0	44-38-25 75-37-08	350.3	322.51 142.51	180 CLEAR
CFNYFM	Brampton ON		271C1 102.1	61. 291.0	43-38-52 79-22-43	301.3	419.01 163.01	256 CLEAR
CFNYFM	Brampton ON		271C1 102.1	35. 421.0	43-38-33 79-23-15	301.1	419.37 163.37	256 CLEAR
	Belleville ON		272B 102.3	.0	44-04-53 77-12-54	324.8	316.20 167.20	149 CLEAR
SPECIAL NEGOTIATED SHORT-SPACED ALLOCATION.								
NEW	Belleville ON		272B 102.3	10. 100.0	44-19-51 77-20-21	326.2	344.44 195.44	149 CLEAR
Specially-negotiated, short-spaced channel, ltd. 33kw/149m & 29.5kw/135m in directions of WLKA & Phoenix, NY (CH 271) respectively								

** End of separation study for channel 271B1 **

CERTIFICATE OF SERVICE

I, Virginia L. Davidson, a secretary in the law offices of Gardner, Carton & Douglas, do hereby certify that true copies of the foregoing "PETITION FOR RULE MAKING" were sent July 29, 1993, by first-class United States mail, postage prepaid, or as indicated by hand to the following:

Michael C. Ruger, Chief
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 8318
Washington, D.C. 20554
(BY HAND)


Virginia L. Davidson